

REMARKS/ARGUMENTS

Claims 1-20 have been examined and rejected. The present response amends claims 1, 3, 6, 8, 11, 13, 16 and 18. Accordingly, claims 1-20 remain pending. Reconsideration and allowance of all pending claims are respectfully requested. A supplemental Information Disclosure Statement is also submitted herewith.

Claim Rejections

Claims 1-20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,597,689 issued to Chiu, et al. (hereinafter "Chiu"). It is respectfully submitted that the pending claims, as amended, recite features neither disclosed nor suggested by the Chiu reference. Accordingly, this rejection should be withdrawn.

Embodiments of the present invention are directed to systems and methods for modifying the connection establishment logic used by the ITU Q.922 standard to establish switched virtual circuits (SVCs). These connection procedures employ messages specified by the ITU Q.921 standard. As explained in the present application, a flaw in the Q.922 SVC establishment procedure becomes manifest when one end of an SVC goes down and comes back up and then seeks to establish or reestablish an SVC. The other end of the link will typically operate on the understanding that the SVC was never interrupted and an error results when the side that went down attempts to reestablish the interrupted SVC.

One feature provided by embodiments to the present invention is that a disconnect message is sent to the other side to force it to tear down its end of a previously interrupted SVC. The present application, however, further discloses other modifications useful in implementing this modification to the Q.922 connection logic.

Claims 1, 6, 11, and 16, as amended, require "transmission of a Q.921 disconnect request message." This transmission occurs "in response to a management plane data link establishment

request.” After transmission of this disconnect request message and in fulfillment of the data link establishment request, a “Q.921 request for connection to establish link message” is transmitted. The amended independent claims further require that this transmission occur “upon one of expiration of an awaiting-response timer, receiving a Q.921 disconnect mode message from the second device, or receiving a Q.921 acknowledgment message from the second device.”

With this understanding of the claimed invention in mind, numerous distinctions between the pending claims and the cited Chiu reference become apparent. The Chiu patent, at column 84, mentions that the Q.921 and Q.922 standards may be specified as the basis for establishing SVC connections. However, there is no disclosure or suggestion to modify these standards with respect to their connection establishment procedures. It will be appreciated that the requirement of the pending independent claims that a management plane data link establishment request from the management plane **cause a disconnect request prior to request for connection** is outside the scope of the Q.921 and Q.922 Standards referred to in column 84. This is sufficient reason to remove the Chiu patent as an anticipatory reference.

The rejection identifies various internal messages with the Intelligent Multi-service Access System (IMAS) of the Chiu reference as being equivalent to the claimed “disconnect request message,” “disconnect mode message,” and “acknowledgement message.” The claims, as now amended, require that these messages be Q.921 messages whereas the messages referred to in the rejection appear to be internal messages within the IMAS. Furthermore, the claims have been amended to require that the “data link establishment request” be a “management plane data link establishment request” rather than simply a request from the other end of the link. These are further points of differentiation between the pending independent claims and the Chiu patent. Claims 1, 6, 11, and 16 are allowable over the art of record.

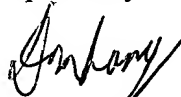
Claims 2-5, 7-10, 12-15, and 17-20 are allowable for at least the reason of their dependence from the allowable independent claims. Furthermore, the claims recite other features neither disclosed nor suggested by the Chiu patent and are thus allowable on their own merits. For example, claims 2, 7, 12, and 17 recite that the disconnect request message transmitted by the

first device to the second device includes a poll bit set to zero. The text cited by the Examiner at column 90, lines 22-38 fails to disclose or suggest this highly specific feature.

Conclusion:

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,



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